

## **REMARKS**

### **I. INTRODUCTION**

Claims 1, 6-15 and 20-24 have been amended. Claims 1-24 are pending in the present application. Please note that the application contains no claims beyond claim 24 and the Applicants kindly request that the Examiner revise his acknowledgment of the claims associated with this application. The Applicants respectfully submit that no new matter has been added. In view of the preceding amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable.

### **II. THE 35 U.S.C. §102(E) REJECTIONS SHOULD BE WITHDRAWN**

Claims 1-5, 7, 11, 14, 16-20 and 23-24 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,331,817 to Goldberg (hereinafter "Goldberg"). Goldberg discloses a system which utilizes a transceiver to track personal property tagged with trackable electronic devices. (*Goldberg*, Abstract). Goldberg describes an organizer that communicates with a plurality of tagged objects. (*Id.* at col. 2, lines 3-17). The organizer includes sets of associated objects which are to be queried upon events that are programmed by the user, for example, when the user leaves the house. *Id.* at col. 3, line 37 to col. 4, line 13. Thus, the organizer must first detect its environment prior to activating the query of the objects.

In contrast, claim 1 recites a system for tracking portable devices which includes "a memory arrangement storing identifier data corresponding to the portable devices, *the identifier data including status and access information*" and "a portable device control system coupled to the processor and controlled *based on the comparison of the stored identifier data to the identifier data retrieved from the replies, wherein, when the reply identifier data matches the stored identifier data the status information corresponding to the portable device is updated on the memory and, when the reply identifier data does not match the stored identifier data, the*

*portable device control system provides an indication that the portable device is unregistered.”*

As described in the specification of the present invention, the system maintains a record for each device to be tracked, the record including status and access information such as whether the device is activated and whether a device is authorized to be in a designated area. *Specification*, ¶ [0008]. Each trackable device is associated with a unique identification number (“UIN”) which the device transmits to a receiver after being queried. *Id.* The system compares the UIN of each device with a database which contains a list of registered UINs. The system then determines access information of the device based on whether the received UIN is stored within a UIN database, (i.e., if the UIN is not listed, the device is unauthorized and should be removed). *Id.* at ¶ [0013]. Furthermore, the system continuously tracks devices in the secured area. *Id.* at ¶ [0012]. The memory arrangement of the present invention stores status information for each of the devices which is to be tracked in the secure area and records changes to this status. The recorded device status allows the system to determine whether the device should be tracked and to keep a continuously updated status for each of the tracked devices.

The organizer disclosed in Goldberg does not collect or store identifier data and then compare the reply identifier data to determine if an object that is present is authorized to be in the area interrogated by the organizer as contemplated by the present invention. In responding to applicants’ previous arguments, the Examiner stated that Goldberg taught collection of identifier data including status information. However, as stated in Goldberg, the tracking object disclosed in Goldberg (e.g., an organizer) only teaches querying “the nearby devices to determine if the associated set of devices is present” and not whether the trackable devices that are present are actually authorized to be in the vicinity of the organizer. (*Goldberg*, col. 4, lines 46-47). More specifically, Goldberg does not teach collection and storage of identifier data which is used to compare the reply identifier data with stored data and determine whether an object is properly present in a specified area. Thus, the tracking device taught by Goldberg is “blind” to an object that is not associated with a set or event which triggers the query, hence, that object will not even trigger a response from the tracking device. For instance, if the user of Goldberg’s organizer

brought along a remote to open a garage at work for an event which only required a wallet, house keys, and a remote for a garage at home, the organizer would not notify the user that the work garage remote was mistakenly taken. The organizer would not be able to interact with this object as it is not associated with the exemplary event and the organizer is not programmed to communicate with disassociated objected

Conversely, the present invention is capable of collecting and storing identifier data in order to determine if a device is authorized to be present within a certain area. This allows the tracking device of the system disclosed in the present application to be "aware" of all transmitting devices: those that are included in its database and those that are not. Thus, the system may do a simple inclusive inventory checklist as disclosed in Goldberg (i.e., determine if all the included objects are present) as well as locate objects whose identifying information is not stored in the database and perform a desired action (e.g., notify security personnel of the presence of unauthorized objects).

Goldberg contains only one paragraph in its entire specification, which discloses a procedure for detecting extraneous objects. (*Goldberg*, col. 5, lines 31-39). However, Goldberg does not teach using identifier data to detect such extraneous objects. This disclosure is limited to alerting the organizer if an instance of a particular object is already present in the organizer's vicinity. The Goldberg's organizer may "detect and report the presence of too many of a particular item." (*Goldberg*, col. 5, lines 32-33). With reference to the previous example, where the user of Goldberg's organizer brought along a work garage remote for an event which only required a home garage remote, the organizer still would not notify the user that he took a wrong remote. As stated in Goldberg, the organizer would only alert the user if he mistakenly brought along two copies of a home garage opener, and not a wrong one altogether. (*Goldberg*, col. 5, lines 33-39). This example illustrates that Goldberg does not provide an indication that the portable device is unregistered when the reply identifier data does not match the stored identifier data. The Goldberg device only provides indication if the device is already registered and there are more than one instance of the device present.

In addition, the Goldberg's organizer does not update status information as contemplated by the present invention. The Goldberg reference organizer stores the set information and then uses it to query for objects based on the event experienced by the organizer, e.g., leaving a set location. This set information in the Goldberg reference is not updated based on a "*data retrieved from the replies*" of the tracked devices as recited in claim 1. The Examiner stated that the organizer's response to a missing object by issuing an indication is equivalent to a status update. (Final Office Action, p. 2; *Goldberg*, col. 4, lines 23-34). While the status of an object queried by the organizer has changed, that change is nevertheless not recorded. More specifically, the organizer does not update the information set to note that a specified object is missing. There is no description in the Goldberg reference where any signals which may be received from the tracked objects update a status of the tracked object stored in a memory of the organizer.

Furthermore, there is no description or suggestion of storing status information for the tracked objects in the system as described in Goldberg. In fact, there would be no reason to store and update status and access information in Goldberg because the query by the organizer is triggered by a transient event, e.g., leaving a set location. Thus, the system of Goldberg gives a single indication of whether the tracked objects in the set are within the required range of the organizer. The object is either present or not present at the time the organizer queries for the objects. There would be no need for the system described by Goldberg to store status and access information on the tracked objects.

Accordingly, Goldberg neither teaches nor suggests "a memory arrangement storing identifier data corresponding to the portable devices, *the identifier data including status and access information*" and "a portable device control system coupled to the processor and controlled based on the comparison of the stored identifier data to the identifier data retrieved from the replies, wherein, when the reply identifier data matches the stored identifier data the status information corresponding to the portable device is updated on the memory and, when the reply identifier data does not match the stored identifier data, the portable device control system

*provides an indication that the portable device is unregistered*" as recited in claim 1. Thus, it is respectfully submitted that the rejection of claim 1 and the claims depending therefrom (claims 2-5, 7 and 11) should be withdrawn.

Similarly, claim 14 recites a method of tracking portable devices containing similar limitations as those in claim 1. Specifically, claim 14 recites "retrieving from each reply to the inquiries received by the security monitor device, reply identifier data uniquely identifying a particular one of the portable devices which generated the reply and comparing the reply identifier data to stored identifier data, the stored identifier data including status information" and "controlling operation of a portable device control system based on the *comparison of the stored identifier data to the identifier data retrieved from the replies, wherein, when the reply identifier data matches the stored identifier data the status information corresponding to the portable device is updated and, when the reply identifier data does not match the stored identifier data, the portable device control system provides an indication that the portable device is unregistered.*" Therefore, for at least the reasons discussed in regard to claim 1, it is respectfully submitted that claim 14 is not anticipated by Goldberg and the rejection of claim 14 and the claims depending therefrom (claims 16-20 and 23-24) should be withdrawn.

### **III. THE 35 U.S.C. §103 REJECTIONS SHOULD BE WITHDRAWN**

Claims 8-10 and 21-22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Goldberg in view of U.S. Patent No. 5,801,618 to Jenkins ("Jenkins"). Claims 6 and 13 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Goldberg in view of U.S. Patent No. 5,664,113 to Worger et al. ("Worger"). Finally, claims 12 and 15 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Goldberg in view of the Worger reference and further in view of U.S. Patent No. 5,686,902 to Reis et al. ("Reis").

As discussed above, Goldberg does not teach or suggest all the limitations of independent claims 1 and 14. None of the Jenkins reference, the Worger reference, nor the Reis

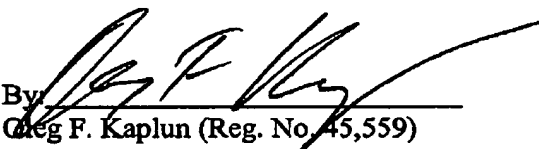
reference cure the deficiencies described for Goldberg. Because claims 6, 8-10, 12, 13, 15, 21-22 depend from and, therefore, include all of the limitations of corresponding claims 1 and 14, it is respectfully submitted that these claims are also allowable over the cited references.

#### IV. CONCLUSION

In light of the foregoing, the Applicants respectfully submit that all of the pending claims are in condition for allowance. All issues raised by the Examiner have been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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By   
Greg F. Kaplun (Reg. No. 45,559)

Fay Kaplun & Marcin, LLP  
150 Broadway, Suite 702  
New York, NY 10038  
Tel: (212) 619-6000  
Fax: (212) 619-0276